IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.581 OF 2007

Shri.Sudam Litya Vadu ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr.M.J.Bhatt Advocate for Applicant
Mr.V.B.Konde-Deshmukh A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 3, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in C.R.No.I-26 of 2006 of Vikramgarh Police Station, Thane. The said case is mainly under Sections 498A and 306 of IPC.

3. It is the case of the complainant that applicant was married to one other lady. Thereafter, the applicant married the daughter of the complainant i.e. Taibai alias Sunanda. After the marriage, things were going on smoothly between Taibai and the applicant. A son was born to

Taibai. The compainant has stated that thereafter the applicant used to tell Taibai to leave the son with him and she should go away. On account of this, dispute arose between Taibai and the appilcant. Some days prior to the incident, Taibai had gone to the house of her father i.e. complainant. After some days, the complainant along with Taibai went to the house of the applicant. As the house of the applicant was found locked, they made enquiries and they came to know that the applicant had gone to the field. Hence, the complainant left Taibai in the house of her neighbour and returned to his house. Taibai had dinner at the house of neighbour and thereafter, she was found dead after consuming insecticide. She had also given insecticide to the minor child. There is no material on record to show that Taibai had met the applicant after she had returned back. There is no proximate cause for Taibai to have committed suicide which could be attributed to the applicant. Looking to these facts, I am inclined to grant bail to the applicant.

4. In connection with C.R.No.I-26 of 2006 of Vikramgarh Police Station, Thane, the applicant to

be released on bail in the sum of Rs.25,000/- (Rs.Twenty five thousand only) with one or two sureties to make up the said amount. The applicant shall report once in a week to the concerned Police Station, till the conclusion of trial.

5. Application is disposed of.

[V.K.Tahilramani, J.]